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TESTIMONY

My name is Brian A. Doyle. I am a principal in the law firm of Ferguson, Doyle & Chester, P.C., located in Rocky Hill, Connecticut. This firm represents numerous public and private sector labor unions, including the American Federation of Teachers Connecticut.

I am here today to testify regarding Proposed Bill No. 5431. It is an act concerning **Notice by the Commissioner of Children and Families to the State Board of Education Concerning Allegations of Abuse and Neglect of a Certified School Employee**. This Act would amend §17a-101i to direct the Commissioner of Children and Families (DCF) to notify the State Department of Education when a certified school employee is substantiated by the Department of Children and Families for neglect or abuse of a child. The intent of the legislation is laudable and good public policy. However, I firmly believe the proposed legislation should be amended.

C.G.S. §17a-101k directs DCF to provide a hearing process to allow a person who is substantiated for abuse and neglect of a child, to appeal that decision. A certified school employee has thirty (30) days after he/she has received a written notice of substantiation to request a hearing. The hearing is held before a Hearing Officer and both DCF and the certified school employee may offer testimony and documentary evidence. At the close of the hearing, the Hearing Officer has thirty (30) days to prepare a written decision.

I strongly recommend the policy that the Commissioner of Education should not be notified until there has been a decision made by the Hearing Officer pursuant to §17a-101k. I have had first-hand experience representing numerous certified school employees who, as the result of the hearing process, have had the abuse or neglect allegation overturned. It would be unfortunate and irresponsible to notify the Commissioner of Education of a substantiation before this administrative hearing process is complete.

I ask that Proposed Bill No. 5431 be amended to require that the Commissioner of Education be notified of neglect or abuse by a certified school employee only after a decision by the Administrative Hearing Officer, or if the certified school employee has declined to exercise his/her appeal rights.

